

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

Claim 24 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

Claims 1-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Natarajan et al. (USPN 6,505,244) (hereinafter "Natarajan") in view of Shanumgam et al. (USPN 6,708,187) (hereinafter "Shanumgam").

Claim Rejection – 35 U.S.C. § 112

In regards to Claim 24, the Office argues that there is no written description provided for the claimed limitation "the state represent a location in geographic region." Applicant respectfully traverses the rejection by submitting that the necessary written description is provided in the last full paragraph beginning on page 11 (and ending on page 12) of Applicant's disclosure. This excerpt is reproduced below:

Additionally, the grouping of systems may be based on the current state and configuration of the systems in the enterprise. Example groups may include all computer systems running a particular version of an operating system, all systems located in a particular geographic region (e.g., Europe), and all systems that have more than 500 Megabytes of free disk space.

In light of the above-identified disclosure, Applicant respectfully requests that the § 112 rejection be withdrawn.

Claim Rejections – 35 U.S.C. § 103(a)

Claim 1 recites:

A method comprising:
 assigning a plurality of devices to a group;
 assigning at least one event-handling policy to the group, wherein
 the assigned policy is associated with each of the plurality of devices in the
 group; and
 evaluating a current state of each device before the assigned policy is
 applied to the device.

The Office Action argues that Figure 17 (elements 1718 and 1728) and column 31 (lines 35-67) of Natarajan disclose “evaluating a current state of each device before the assigned policy is applied to the device.” Applicant respectfully disagrees with this argument. Fig. 17 is a flow diagram illustrating how the feedback-based network adapts to changing conditions resulted from a video conference. (See Natarajan, col. 29, line 60 to col. 32, lines 55). In Fig. 17, the method in Natarajan includes the evaluation of a CIR (committed information rate) policy at 1718. “The effectiveness of the frame relay CIR policy is measured by analyzing the number of packets dropped at each of the respective links...” (Natarajan, col. 31, lines 37-39). Thus, the excerpt cited by the Office discloses evaluating the effectiveness of a policy relating to network conditions, not “evaluating a current state of each device before the assigned policy is applied to the device” (Emphasis Added). Thus, the disclosure of Natarajan differs from the recitation in Claim 1.

The Office Action also argues that it would have been obvious to combine the teachings of Natarajan and Shanumgam. For support, the Office Action states: “[t]he motivation would have been to have a unified policy management system with a remotely situated policy enforcers.” (Office Action, page 4). However, this is merely an excerpt from the Abstract of Shanumgam describing that reference and does not indicate any suggestion or motivation to combine the teachings. “Particular findings must be made as to the *reason* the skilled artisan, *with no knowledge of the claimed invention*, would have selected these components for combination in the manner claimed.” (*In re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000)). Therefore, the Office Action has failed to present a convincing line of reasoning, as required by 35 U.S.C. § 132 (see also MPEP 706.02(j)), explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, Applicant submits that Claim 1 is allowable.

Given that Claims 2-9 depend from Claim 1, Claims 2-9 are also allowable for at least the same reasons. Additionally, regarding Claim 3, Applicant respectfully submits that the cited excerpts of Natarajan (figure 5C - element 254, and column 14, lines 5-20) describe policy engine 254 and give examples thereof. These excerpts do not disclose “determining whether a particular device is currently a member of the group”. Further, column 14 (lines 33-35) discusses the overall architecture of the policy engine and does not disclose “applying the assigned policy to the particular device if the particular device is currently a

member of the group.” Regarding Claim 7, Applicant submits that the cited excerpts of Natarajan (figure 2 - element 254, and column 10, lines 40-50) discuss monitoring specific network elements and reporting specified events by the event handler, not identifying “the types of events that are provided to each device”. Accordingly, Applicant submits that Claims 3 and 7 are further allowable for these additional reasons.

Claim 10, as amended, recites (added language underlined):

An apparatus comprising:
 a group of devices having an associated event-handling policy;
 an event log configured to store event data; and
 a management module coupled to the group of devices and the event
 log,
 wherein a current state of each device in the group of devices
 is evaluated by the management module before the event-handling
 policy is applied to the device; and
wherein the management module determines whether a
particular device is currently a member of the group before the
event-handling policy is applied to the device.

The Office Action states that Claim 10 is rejected for the same reasons as Claim 1. Additionally, the Office cites Natarajan and argues that it discloses a management module “wherein a current state of each device in the group of devices is evaluated by the management module (decision making, col 14, lines 5-20) before the event-handling policy is applied to the device (figure 6 and 7, col 19, 1-16, col 14 lines 34-50).” (Office Action, Page 5). Applicant respectfully disagrees. The cited excerpt of column 14 describes the policy engine as a decision-making component. It explains that an application specific policy is a

decision tree allowing the policy server to make decisions “based upon measured variables and conditions”. However it does not disclose or suggest “a current state of each device in the group of devices” being “evaluated by the management module before the event-handling policy is applied to the device”.

Furthermore, as amended, Claim 10 recites subject matter previously recited in Claim 17 (now canceled). Regarding Claim 17, the Office argues “Natarajan discloses the management module determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device (column 19, lines 1-47, it is implied during the registration process).” Applicant respectfully disagrees and submits that the Office has mischaracterized this excerpt of Natarajan. Specifically, this excerpt refers to the term “network element” as any hardware or software component of the described invention. It then states that each may be initialized using existing control parameters and then event registration is initiated for the various network elements via the event handler associated with each element. However, nothing discloses or suggests (explicitly or implicitly) that during this registration process “the management module determines whether a particular device is currently a member of the group before the event-handling policy is applied to the device.”

Finally, as discussed above, the Office Action has failed to present a convincing line of reasoning explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, Applicant submits that Claim 10 is allowable.

Given that Claims 11-16 depend from Claim 10, Claims 11-16 are also allowable for at least the same reasons. Additionally, regarding Claim 14, Applicant submits that the cited excerpts of Natarajan (figure 2 - element 254, and column 10, lines 40-50) discuss monitoring specific network elements and reporting of specified events by the event handler, not identifying "the types of events that are provided to each device". Accordingly, Applicant submits that Claim 14 is further allowable for this additional reason.

Claim 18 recites:

One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, performs the process of:

- assigning a plurality of devices to a group;
- identifying an event-handling policy associated with the group of devices, wherein the event-handling policy defines how devices are configured;
- assigning the event-handling policy to the group of devices; and
- evaluating a current state of each device before the assigned event-handling policy is applied to the device.

The Office Action states that Claim 18 is rejected for the same reasons as Claim 1. Additionally, the Office Action cites Natarajan in arguing that it discloses "identifying at least one event-handling policy (added, figure 2 element 254, col 14, lines 33-35) associated with the group of devices (module, figure 5C, element 254, col 14, lines 51-52) wherein the event-handling policy defines how devices are configured." (Office Action, Page 5). Applicant respectfully disagrees and submits that Fig. 5C, element 254 illustrates a policy engine. Column 14 (lines 51-52) of Natarajan states "[e]ach application specific plug-in

policy module may include one or more policies.” Applicant fails to see how this teaches or suggests identifying an event-handling policy “associated with the group of devices wherein the event-handling policy defines how devices are configured.” Applicant respectfully submits that the Office Action has not adequately explained the pertinence of this reference as required by MPEP 707.05 (“When such prior art is cited, its pertinence should be explained.”).

In addition, as discussed above, the excerpt cited by the Office Action discloses evaluating the effectiveness of a policy relating to network conditions, not “evaluating a current state of each device before the assigned policy is applied to the device”. Furthermore, the Office Action has failed to present a convincing line of reasoning explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, this claim is allowable.

Given that Claims 19 and 20 depend from Claim 18, Claims 19 and 20 are also allowable for at least the same reasons.

Claim 21, as amended, recites (added language underlined):

A computer-implemented method comprising:
determining states of systems in an enterprise;
assigning the systems to groups based on rules associated with the groups
and the states of the systems;
assigning policies to at least one particular group;
reevaluating the states of each system in the particular group;
if the states are valid according to the rules associated with the particular
group, applying the policies to the systems in the particular group.

if the states of a particular system in the particular group is not valid, updating the particular group to delete the particular system; and applying the policies to the systems in the updated group.

The Office Action states that Claim 21 is rejected for the same reasons as Claim 1. However, as amended, this claim recites subject matter previously recited in Claim 22 (now canceled). Regarding Claim 22, the Office Action argues that “Natarajan discloses “if the states of a particular system in the particular group is not valid (decision tree, column 14, lines 33-50), updating the particular group to delete the particular system (added or deleted, column 14, lines 33-50); and applying the policies to the systems in the updated group (added or deleted, column 14, lines 33-50.” Applicant respectfully disagrees and submits that the Office Action has mischaracterized this excerpt of Natarajan. Specifically, the “adding” and “deleting” disclosed in the cited excerpt involves the addition or deletion of specific plug-in policies to the system (see column 14, lines 33-35), not “updating the particular group to delete the particular system” and “applying the policies to the systems in the updated group.”

In addition, as discussed above, the Office has failed to present a convincing line of reasoning explaining why it would have been obvious to combine the teachings of Natarajan and Shanumgam.

For the reasons stated above, Applicant respectfully submits that the Office Action has not established a *prima facie* case of obviousness. Hence, for at least these reasons, this Applicant submits that Claim 21 is allowable.

Given that Claims 23 and 24 depend from Claim 21, Claims 23 and 24 are also allowable for at least the same reasons.

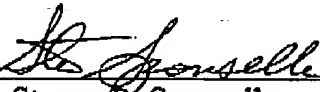
Conclusion

Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: 2-28-05

By:



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